

In further response to this rejection, the Applicant elected to re-specify Group 10 metals in Independent Claim 1 rather than delete Claims 12-14 as being inconsistent with Independent Claim 1. To the extent the claimed invention is limited by specific formulae and an example is presented in the original specification (palladium) that demonstrates that catalyst compositions comprising a Group 10 metal are effective and viable, the Applicant believes any contention that Group 10 metals render the claimed invention overly broad (as presented in the Office Action mailed 11/7/01) is traversed by specific formulae limitations and the presented example. Conversely, the Applicant elected to delete Claims 25-27 as being inconsistent with Independent Claim 1.

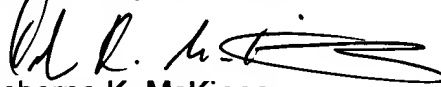
The Examiner rejected Claims 1-27 under 35 USC § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art the inventor(s), at the time the application was filed, had possession of the claimed invention. In this rejection, the Examiner takes the position that there is no clear physical evidence that the cyclopropenyl rings of the present claims exist as cyclopropenyl rings in the neutral transitional metal compound.

But the Applicant can not understand this rejection in that she only intends to claim that which is supported and described in the original specification. The Applicant believes the present claims only specify what is supported and described in the original specification. There is no difference between what was only original described and what is presently claimed, thus the Applicant clearly had possession of the claimed invention at the time the application was filed and believe no additional showing should be required. Perhaps an additional showing would be required if cyclopropenyl rings as set forth in the present claims were known or thought to be nonexistent. But such is not the case, nor is such the Examiner's position as the Examiner merely suggests that some other form is known to exist; the Examiner does not take the position that cyclopropenyl rings as specified in the claims are not known to exist. Moreover, the Applicant believes if other forms are embraced the formulae or structures specified in the present claims and the original specification, she is entitled to claim the same as her invention. Also, the Applicant believes there should be no requirement to limit her invention to one form or the other when the presented formulae or structures represent known moieties and the formulae or structure themselves are definite and specific. Finally, if evidence of the kind suggested by the Examiner indicates that compounds of a different form are not embraced

or represented by the formulae or structures specified in the present claims, then such compounds are simply outside the literal scope of the claimed invention and do not present an prosecution burden for the Applicant. To the extent the Applicant only intends to claims that which is supported and described by the original specification, this rejection should be withdrawn.

Accordingly, Applicant believes none of the amendments to the Abstract or claims add any new matter and respectfully request entry of amendments. Applicant also believes all the rejections have been obviated or traversed by the above amendments and/or remarks.

Respectfully submitted,



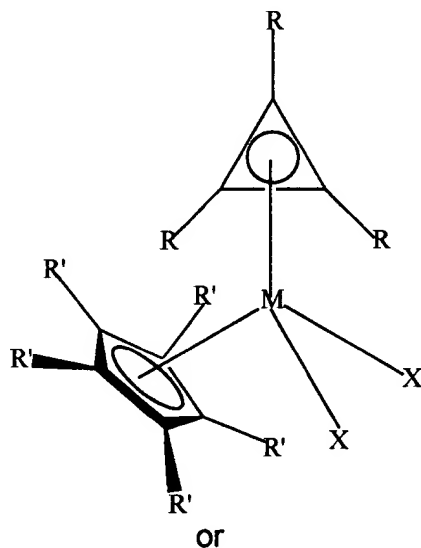
Osborne K. McKinney
Registration No. 40,084

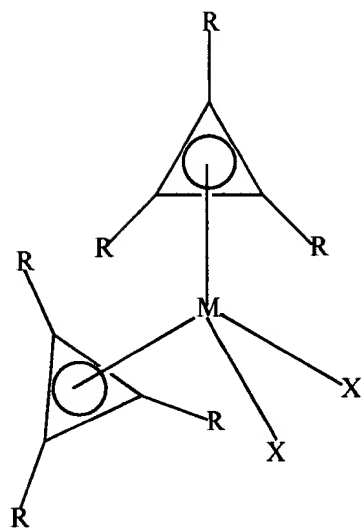
Univation Technologies, LLC.
5555 San Felipe, Suite 1950
Houston, Texas 77056
Phone: (713) 892-3711
Facsimile: (713) 892-3687

Version with markings to show changes made.

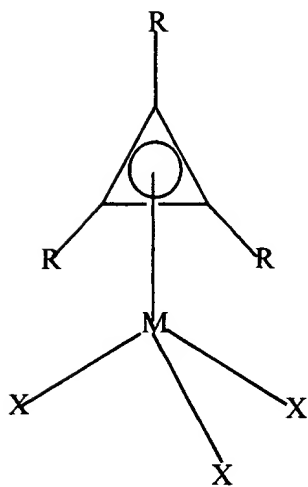
In the Claims - please amend as follows:

1. (Twice Amended) An olefin polymerization catalyst comprising a cationic complex that results from contact of a neutral transition metal compound to an activator composition wherein the neutral transition metal compound is represented by the following formula:





or



wherein each R and R' is a monodentate or a bidentate radical and is independently hydrogen, hydrocarbyl, substituted-hydrocarbyl, halocarbyl, substituted-halocarbyl, hydrocarbyl-substituted organometalloid, halocarbyl-substituted organometalloid, disubstituted boron, disubstituted pnictogen, substituted chalcogen or halogen, and when R or R' is a bidentate radical [itis form] it forms a C₄ to C₂₀ ring system with another R or R' to give a saturated or unsaturated polycyclic cyclopropenyl ligand or it [is form] forms a bridge between one cyclopropenyl ring and another cyclopropenyl ring or an X radical; one X is a pi-bonded cyclopentadienyl ligand or cyclopentadienyl group-containing ligand and another X is an amido or an imido radical and any remaining [each] X radical is [independently] a halide, hydride, hydrocarbyl, substituted hydrocarbyl, halocarbyl, substituted halocarbyl, and hydrocarbyl- and halocarbyl-substituted organometalloid, substituted pnictogen, or substituted chalcogen [and one X is a pi-bonded cyclopentadienyl ligand or cyclopentadienyl-derived ligand in that the ligand is obtained from cyclopentadienyl in one or more steps and one X is an amido or an imido radical]; and M is a Group [4, 5, 6 or 8] 4, 5, 6, 8 or 10 transition metal[, and m and n are integers of 1 or greater and m+n satisfies the valence of M].